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13 Attorneys for Plaintiff
UNITED STATES OF AMERICA

14 UNITED STATES DISTRICT COURT

15 FOR THE CENTRAL DISTRICT OF CALIFORNIA

16 UNITED STATES OF AMERICA,

17 Plaintiff,

18 v.

19 MICHAEL JOHN AVENATTI,

20 Defendant.

SA CR No. 19-061-JVS

ORDER CONTINUING TRIAL DATE AND
FINDINGS REGARDING EXCLUDABLE TIME
PERIODS PURSUANT TO SPEEDY TRIAL
ACT

NEW TRIAL DATE:

May 19, 2020, at 8:30 a.m.

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22
23 The Court has read and considered the Stipulation Regarding
24 Request for (1) Continuance of Trial Date and (2) Findings of
25 Excludable Time Periods Pursuant to Speedy Trial Act, filed by the
26 parties in this matter. The Court hereby finds that the Stipulation,
27 which this Court incorporates by reference into this Order,
28 demonstrates facts that support a continuance of the trial date in

1 this matter, and provides good cause for a finding of excludable time
2 pursuant to the Speedy Trial Act, 18 U.S.C. § 3161.

3 The Court further finds that: (i) the ends of justice served by
4 the continuance outweigh the best interest of the public and
5 defendant in a speedy trial; (ii) failure to grant the continuance
6 would be likely to make a continuation of the proceeding impossible,
7 or result in a miscarriage of justice; and (iii) failure to grant the
8 continuance would unreasonably deny defendant continuity of counsel
9 and would deny defense counsel the reasonable time necessary for
10 effective preparation, taking into account the exercise of due
11 diligence.

12 THEREFORE, FOR GOOD CAUSE SHOWN:

13 1. The trial in this matter is continued from August 27, 2019,
14 to May 19, 2020, at 8:30 a.m.

15 2. The Court also sets the following dates and deadlines:

16	Expert Witness Disclosure Deadline	March 2, 2020
17	Deadline to File Pretrial Motions (Motions to	March 16, 2020
18	Compel, Motions to Suppress, and Motion <u>In</u>	
	<u>Limine</u>)	
19	Deadline to File Oppositions to Pretrial Motions	March 30, 2020
20	Deadline to File Reply Briefs in Support of	April 6, 2020
21	Pretrial Motions	
22	Pretrial Motions Hearing	April 13, 2020, 8:00 am
23	Government Witness List Disclosure Deadline	April 20, 2020
24	Deadline to Disclose Jencks Act Materials and	April 20, 2020
25	Witness Statements	
26	Final Pretrial Conference	May 4, 2020, 8:30 am
27	Government Exhibit Disclosure Deadline	May 12, 2020
28		

1 3. All other case deadlines set forth in the Court's standing
2 Order re: Criminal Trial shall remain in place.

3 4. The Court further vacates the status conference currently
4 scheduled for September 18, 2019, and orders the parties to appear
5 for interim status conferences on the following dates:

6 a. September 30, 2019, at 9:00 a.m.

7 b. December 2, 2019, at 9:00 a.m.

8 c. January 20, 2020, at 9:00 a.m.

9 d. March 2, 2020, at 9:00 a.m.

10 5. The time period of August 27, 2019, to May 19, 2020,
11 inclusive, is excluded in computing the time within which the trial
12 must commence, pursuant to 18 U.S.C. §§ 3161(h)(7)(A), (h)(7)(B)(i),
13 and (B)(iv).


14 6. Defendant shall appear in Courtroom 10C of the Ronald
15 Reagan Federal Building and U.S. Courthouse, 411 West Fourth Street,
16 Santa Ana, California on May 19, 2020, at 8:30 a.m.

17 7. Nothing in this Order shall preclude a finding that other
18 provisions of the Speedy Trial Act dictate that additional time
19 periods are excluded from the period within which trial must
20 commence. Moreover, the same provisions and/or other provisions of
21 the Speedy Trial Act may in the future authorize the exclusion of
22 additional time periods from the period within which trial must
23 commence.

24 IT IS SO ORDERED.

25 August 30, 2019

26 _____
27 DATE

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HONORABLE JAMES V. SELNA
UNITED STATES DISTRICT JUDGE

1 Presented by:

2 /s/ Julian L. André

3 JULIAN L. ANDRÉ

4 BRETT A. SAGEL

5 Assistant United States Attorneys